



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Agenda CITY COUNCIL

*R. Steve Tumlin, Mayor*  
*Stuart Fleming, Ward 1*  
*Grif Chalfant, Ward 2*  
*Johnny Walker, Ward 3*  
*G A. (Andy) Morris, Ward 4*  
*Anthony Coleman, Ward 5*  
*Michelle Cooper Kelly, Ward 6*  
*Philip M. Goldstein, Ward 7*

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Wednesday, August 12, 2015

7:00 PM

Council Chamber

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### CALL TO ORDER:

### INVOCATION:

*Council Member Johnny Walker, Ward 3*

### PLEDGE OF ALLEGIANCE:

### PRESENTATIONS:

**20150728      Gem City Award - Dr. Dan Stephens**

Mayor Tumlin honors Dr. Dan Stephens as a Gem City Award recipient and recognizes his 20-plus years as a Board Member and Chairman of the Cobb Douglas Public Health and Cobb Community Services Board.

**20150750      Introduction of MHS Football Team Seniors and the Air Force Junior ROTC Color Guard will present colors**

Marietta City Schools Kickoff - Coach Scott Burton introduces his seniors for the MHS football team and the MHS Air Force Junior ROTC Color Guard will present colors for the Pledge of Allegiance.

### PROCLAMATIONS:

### ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

**SCHEDULED APPEARANCES:**

**Each speaker is allotted five (5) minutes.**

**20150681      Scheduled Appearance - Ms. Cardellia Anderson**  
Lincoln Hills, Building #900 (unincorporated Cobb County)

**20150749      Scheduled Appearance - Ms. Sandra Whyte**

Home address: 2785 Brookcrest Court, Marietta (unincorporated Cobb County)  
Business: 119-C Cobb Parkway North. Vendor at the North Cobb Antique Mall,  
Ward 5

Wishes to address council about the requirement that vendors in the antique mall  
must have a business license.

**UNSCHEDULED APPEARANCES:**

**Each speaker is allotted five (5) minutes.**

**CONSENT AGENDA:**

**Consent agenda items are marked by an asterisk (\*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).**

**MINUTES:**

**\*      20150722      Regular Meeting - July 8, 2018**

Review and approval of the July 8, 2015 regular meeting minutes.

*Council member Goldstein abstaining.*

**\*      20150723      Special Meeting - July 27, 2015**

Review and approval of the July 27, 2015 special meeting minutes.

**MAYOR'S APPOINTMENTS: (for informational purposes only)****CITY COUNCIL APPOINTMENTS:****ORDINANCES:**

**20150616      Z2015-27 [REZONING] MICHAEL GOOD**

Z2015-27 [REZONING] MICHAEL GOOD requesting rezoning for property located in Land Lot 1168, District 16, Parcel 0640, 2nd Section, Cobb, Cobb County, Georgia and being known as 296 Sourwood Drive from R-20 (Single Family Residential - County) to R-2 (Single Family Residential - 2 units/acre). Ward 5A.

*The Planning Commission recommended approval:   Vote: 7-0-0*

*Mr. Diffley made a motion, seconded by Mr. Vanderslice to recommend approval as submitted. The motion carried 7-0-0.*

*PUBLIC HEARING (All parties are sworn in)*

**20150617      A2015-05 [ANNEXATION] MICHAEL GOOD**

A2015-05 [ANNEXATION] MICHAEL GOOD requesting the annexation of property located in Land Lot 1168, District 16, Parcel 0640 (also known as 296 Sourwood Drive), of the 2nd Section, Cobb County, Georgia consisting of 0.344 acres. Ward 5A.

*The Planning Commission recommended approval:   Vote: 6-1-0*

*Mr. Vanderslice made a motion, seconded by Ms. McCrae to recommend approval as submitted. Mr. Poor opposed. The motion carried 6-1-0.*

*PUBLIC HEARING (All parties are sworn in)*

**20150618 CA2015-06 [CODE AMENDMENT]**

CA2015-06 [CODE AMENDMENT] In conjunction with the requested annexation of property in 1168, District 16, Parcel 0640 (also known as 296 Sourwood Drive), the City of Marietta proposes to designate the Future Land Use of said property as IM (Industrial Manufacturing). Ward 5A.

*The Planning Commission recommends approval:* *Vote: 7-0-0*

*Mr. Rosenbury made a motion, seconded by Mr. Diffley to recommend approval as submitted. The motion carried 7-0-0.*

*PUBLIC HEARING (All parties are sworn in)*

\*      **20150561      Z2015-26 [REZONING] CITY OF MARIETTA**

Z2015-26 [REZONING] CITY OF MARIETTA request rezoning for property located in Land Lots 1212 & 1213, District 16, 2nd Section, Marietta, Cobb County, Georgia and being known as Adams Circle, Beavers Street and Gunter Street right-of-way from unzoned to PRD-SF [Planned Residential Development - Single Family]. Ward 5A.

*The Planning Commission recommends approval:*

*Vote: 7-0-0*

*Mr. Vanderslice made a motion, seconded by Mr. Poor to recommend approval as submitted. The motion carried 7-0-0.*

*PUBLIC HEARING (All parties are sworn in)*

\*      **20150382      Z2015-16 [REZONING] SONDRRA ROWAN (SUSAN RAPER)**

Z2015-16 [REZONING] SONDRRA ROWAN (SUSAN RAPER) requesting rezoning for property located in Land Lot 1146, District 16, Parcel 0370, 2nd Section, Marietta, Cobb County, Georgia and being known as 319 Church Street from RM-8 (Multi Family Residential - 8 units / acre) to R-4 (Single Family Residential - 4 units/ acre). Ward 4

*The Planning Commission recommends approval.      Vote: 5-1-0*

*Mr. Vanderslice made a motion, seconded by Ms. McCrae to recommend approval as submitted with the stipulation that ownership issues be resolved before the City Council meeting. Mr. Rosenbury opposed.*

*PUBLIC HEARING (All parties sworn in.)*

*This item was tabled from the July 8, 2015 City Council Meeting.*

**RESOLUTIONS:**

**CITY ATTORNEY'S REPORT:**

**CITY MANAGER'S REPORT:**

**MAYOR'S REPORT:**

**COMMITTEE REPORTS:**

**1. Economic/Community Development: G. A. (Andy) Morris, Chairperson**

**2. Finance/Investment: Stuart Fleming, Chairperson****\* 20150669 National League of Cities (NLC)**

Motion approving travel and training for members of Council who wish to attend the NLC Annual Congress of Cities in Nashville, TN, November 4-7, 2015 or the NLC Leadership Summit in Orlando, FL September 16-19, 2015.

**3. Judicial/Legislative: Philip M. Goldstein, Chairperson****\* 20150475 Amendment to the Detailed Plans for Manget Phases II-IV**

Motion to approve amendments, enumerated in the attached letter from Ralph Davia, P.E. to Brian Binzer dated June 18, 2015, to the detailed plan for Manget Phases II-IV in order to avoid conflicts with existing overhead utility poles.

All other previously approved conditions of the detailed plan and zoning stipulations and shall remain in effect.

**\* 20150683 Church Cherokee Historic District**

Motion to approve the request from the Historic Preservation Commission to pursue a locally designated historic district for the Church Cherokee neighborhood area.

In accordance with the Historic Preservation Ordinance that was revised in March 2010, the Historic Preservation Commission is hereby granted approval from the Mayor and City Council to begin the process to pursue a locally designated historic district in the Church Cherokee neighborhood area.

\*      **20150684      Assisted Living Facility at 900 Burnt Hickory Rd**

Motion to approve a request by Aspire Development Partners for minor modifications to the site plan approved with Z2013-09 and specifically:

1. Increase the memory care wing by 5,000 square feet in the southeastern corner.
  - a. The addition would be one-story only and would change the overall square footage of the building from 76,000 sq. ft. to 81,000 and the floor area ratio from 0.439 to 0.468.
  - b. The addition would still be outside of the standard setbacks for OI and would not reduce or change the approved buffer and fencing against the townhomes to the east.
2. Larger memory impairment courtyard.
3. Loss of visible detention area, indicating a change to underground detention.
4. Minor reconfiguration of tree islands in the parking area, with no change to the overall number of spaces (48 maximum).

The following requirements, as shown on the attached plan QL-1 by Foresite Group and dated 7/29/15, shall also be adopted in order to ensure Marietta Fire Department can access the rear of the building:

1. Three water cannons with individual shut off valves on top of retaining wall placed by AHJ
2. Three additional freestanding dry standpipes placed by AHJ at the rear of the structure
3. A clearly marked adequate hydrant inlet near the front of the structure placed by AHJ to supply remote hydrants and the deluge system
4. The deluge system must be piped in conjunction with remote hydrants
5. The owner/management must be aware of the annual inspection / testing requirements of the life safety systems and maintain those documents for inspection
6. The structure must have a complete 13 sprinkler system
7. Ensure water supply will be adequate to properly supply all systems

All other stipulations and variances associated with Z2013-09 would remain in effect.

\*      **20150717      Parking Deck**

Motion authorizing staff to assist with the study of a possible parking deck at the Mill Street lot. Further, to authorize Mayor Tumlin to draft a letter regarding the purchase of the land from the state by the Downtown Marietta Development Authority (DMDA).

\*      **20150729      Rezoning of 849 and 861 Franklin Road**

Motion authorizing advertisement for rezoning of property located at 849 and 861 Franklin Road. The properties are currently zoned PRD-MF and recommended zoning would be PCD (Planned Commercial Development).

**20150627      Alcohol Ordinance**

Approval of amendments to Code Section 8-8-2-280 Ancillary Wine Tasting License and 8-8-2-290 Ancillary Malt Beverage Tasting License.

*Council member Goldstein disclosed that the Marietta Wine Market and/or its owners (Karen and/or Randell Heard) are tenants of his at 14, 16 and 18 Powder Springs Street. Any changes to the ordinance will affect all businesses that are similarly situated.*

**20150685      Ethics Codes for City Boards**

Approval of amendments to Article 1-14-2 General Provisions, Ethics Code, and Article 1-14-4 Administration.

**4. Parks, Recreation and Tourism: Michelle Cooper Kelly, Chairperson**

\*      **20150700      Lewis Park Dog Park Improvements**

Motion to authorize the installation of the following additional improvements to the Lewis Park Dog Park: a dog wash station, additional benches, a message board, sodding of bare areas, and pressure washing that could be completed in house. Funding for items will come from the Lewis Park project of the 2009 Parks Bond and shall not exceed \$4,500.00.

**5. Personnel/Insurance: Johnny Walker, Chairperson**

\*      **20150664      Updated Deferred Compensation Service Agreements and Roth IRA contribution option**

Approval of the City of Marietta/BLW deferred compensation plan service agreements and addition of Roth IRA contribution option per the terms as set forth herein.

\*      **20150682      Property & Casualty/Miscellaneous Coverage**

Motion approving the City of Marietta/BLW property & casualty and other miscellaneous coverage, premiums, and companies utilized for the policy period of August 17, 2015, to August 17, 2016.

**6. Public Safety Committee: Anthony Coleman, Chairperson**

**7. Public Works Committee: Grif Chalfant, Chairperson**

\*      **20150660      Chicopee Street Driver Speed Feedback Sign**

Motion to install driver speed feedback sign on Chicopee Street.

\*      **20150689      Sandy Plains Road QuikTrip Right of Way**

Motion accepting the donation of a portion of right of way at the QuikTrip development at 825 Sandy Plains Road. Final acceptance of right of way is to be completed in conjunction with the approval of the Final Site Plan for said property.

\*      **20150450      Rigby Street Parking Restrictions**

Motion authorizing a time restricted no parking zone on the north side of Rigby Street on Sundays between 9:30 AM and 2:00 PM, leaving the existing no parking zone along the south side of Rigby Street.

\*      **20150575      Allgood Road Sidewalks**

Motion to install sidewalks on the south side of Allgood Road between Cobb Parkway and Fairground Street round-a-bout.



\*      **20150696      Beaver Street, Gunter Street, and Adam Circle Right of Way Abandonment**

Motion authorizing advertising for a Public Hearing for the abandonment and exchange of portions of Right of Way on Beaver Street, Gunter Street, and Adam Circle.

\*      **20150698      Powder Springs Street Concept**

Motion authorizing Powder Springs Streetscape Improvement project concept from Sandtown Road to South Marietta Parkway.

**OTHER BUSINESS:**

**20150727      Height Ordinance Amendment for Residential Homes**

Motion to authorize advertisement of changes to the zoning ordinance regarding building height.

\*      **20150755      GMA Regional Training Class**

Motion to approve training expenses for Council members who wish to attend the GMA Regional Training Class October 21, 2015.

\*      **20150756      Property Acquisition - 16 Hedges Street**

Motion authorizing advertising for a Public Hearing for the exchange and/or sale of a portion of 16 Hedges Street.

\*      **20150724      BLW Actions of August 10, 2015**

Review and approval of the August 10, 2015 actions and minutes of Marietta Board of Lights and Water.

**UNSCHEDULED APPEARANCES:**

**Each speaker is allotted five (5) minutes.**

**ADJOURNMENT:**